

### REMARKS

Applicant submits that amended claims 23, 33 and 38 (as well as the remaining claims which depend therefrom) distinguish over the prior art cited in the office action and the other art of record since none of the art discloses a scraping device having a straight scraping edge portion which protrudes from said housing of the device so that an imaginary infinitely extending straight line drawn along the edge of said straight scraping edge portion extends beyond the surface of the housing. This imaginary line is identified as dashed line A in the attached drawing of Figure 6.

The examiner will appreciate that Applicant has substituted the word --along-- for the word "through" to make it clear that the imaginary line is an infinitely extending straight line extending along the edge of the straight scraping edge portion and not a line extending perpendicularly through the scraping edge as shown in the Office Action with respect to the Lyons and Hodge references. Accordingly, Applicant submits that this amendment distinguishes the amended claims over that disclosed in Lyons and Hodge where it will be appreciated that such an imaginary line intersects or extends into the housing of the device.

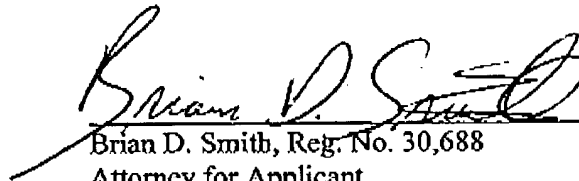
It is respectfully submitted that the amended claims also distinguish over that disclosed in Lower which is not seen to disclose a straight scraping edge portion which "protrudes" from the housing in accordance with the ordinary meaning of the word "protrude". As defined in Webster's Third New International Dictionary (see attached), the word "protrude" when used in connection with surfaces, etc. means, "to jut out beyond the surrounding surface or context". Applicant respectfully submits that none of the scraping surfaces in Lower "jut out beyond" the surrounding surfaces and indeed are simply part of the surrounding surfaces. Accordingly, Applicant respectfully submits that the amended claims distinguish over Lower.

In view of the above amendment and remarks, Applicant respectfully submits that this application is in condition for allowance. Accordingly, reexamination and reconsideration are requested and allowance is solicited at an early date.

Respectfully submitted,

BRIAN D. SMITH, P.C.

8-2-04

  
Brian D. Smith, Reg. No. 30,688  
Attorney for Applicant

BRIAN D. SMITH, P.C.  
1125 Seventeenth Street, Suite 600  
Denver, Colorado 80202  
303-523-0900